

JC06 Rec'd PCT/P 16 AUG 2005
#5
PCT

PTO/SB/17 (12-04v2)
Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 3,150.00)

Complete if Known	
Application Number	10/509,727-Conf. #9819 ✓
Filing Date	September 30, 2004
First Named Inventor	Yoshihide HAYASHIZAKI
Examiner Name	Not Yet Assigned
Art Unit	Not Yet Assigned
Attorney Docket No.	0760-0339PUS1

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____
 Deposit Account Deposit Account Number: 02-2448 Deposit Account Name: Birch, Stewart, Kolasch & Birch, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee
 Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>		
	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fees Paid (\$)</u>
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>
56	- 20 = 36	x 50.00	= 1,800.00	

<u>Fee (\$)</u>	<u>Fee (\$)</u>
50	25
200	100
360	180

Each independent claim over 3 (including Reissues)

Multiple dependent claims

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>
56	- 20 = 36	x 50.00	= 1,800.00	
<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	
4	- 3 = 1	x 200.00	= 200.00	

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
	- 100 =	/50 (round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount) 130.00
 Other (e.g., late filing surcharge): 1253 Extension for response within third month 1,020.00

SUBMITTED BY				
Signature	Gerald M. Murphy, Jr.	Registration No. (Attorney/Agent)	28,977	Telephone (703) 205-8000
Name (Print/Type)	Gerald M. Murphy, Jr.	Date	August 16, 2005	



Docket No.: 0760-0339PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Yoshihide HAYASHIZAKI et al.

Application No.: 10/509,727

Confirmation No.: 9819

Filed: September 30, 2004

Art Unit: N/A

For: NOVEL POLYPEPTIDE AND NUCLEIC ACID
ENCODING THE SAME

Examiner: Not Yet Assigned

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements dated March 16, 2005, Applicant respectfully submits:

- Attached is a copy of the Notification of Missing Requirements (371 Formalities Letter).
- Attached is the Executed Declaration and Power of Attorney Original Photocopy.
- The specification attached to the executed Declaration and Power of Attorney is a true copy of the specification that was filed in the U.S. Patent and Trademark Office on September 30, 2004, including any amendments thereto (if applicable) filed on even date therewith.

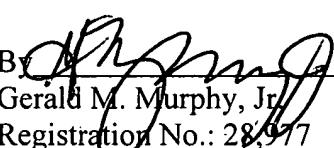
- The undersigned hereby declares that "Attorney Docket No. 0760-0339PUS1" on page 1 of the attached Inventors' Declaration corresponds to Application No.10/509,727 filed September 30, 2004, entitled "NOVEL POLYPEPTIDE AND NUCLEIC ACID ENCODING THE SAME."
- Attached is an English language translation of the above-identified application that was filed in a foreign language, which should be used as the copy for examination purposes.
 - See the attached Translator's Verification; or
 - The undersigned states that the English translation attached hereto is a true and correct translation of the application as originally filed in a foreign language.
- Attached are 4 sheet(s) of drawings. Please substitute these replacement drawings for the corresponding 4 sheet(s) of drawings on file in the above-identified application.
- Attached are substitute claims commencing on a separate sheet in accordance with 37 C.F.R. § 1.75(h).
- Attached is a substitute abstract commencing on a separate sheet in accordance with 37 C.F.R. § 1.72(b).
- Attached is a substitute specification that complies with 37 C.F.R. § 1.52. The substitute specification does not contain new matter.
- Attached is a preliminary amendment.
- Applicant claims small entity status under 37 C.F.R. § 1.27.

- Submitted concurrently herewith under separate cover for recording is an Assignment.
- Attached is a Petition for Extension of Time.
- Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: August 16, 2005

Respectfully submitted,

By 
Gerald M. Murphy, Jr.
Registration No.: 28,917

BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Rd 10/31/2005 KWILLIAM 00000002 10509727
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Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant

Attachment(s)

Adjustment date: 10/31/2005 KWILLIAM
08/22/2005 MKAYPAGH 00000028 10509727
01 FC:1617 -130.00 OP
02 FC:1615 -1800.00 OP
03 FC:1614 -200.00 OP

Repln. Ref: 10/31/2005 KWILLIAM 0016364000
DAB:022448 Name/Number:10509727
FC: 9204 \$2000.00 CR



OCT - 16 2005
AUG 16 2005
UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/509,727	Yoshihide Hayashizaki	0760-0339PUS1
INTERNATIONAL APPLICATION NO.		
PCT/JP03/00522		
02292 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747	DOCKETED	I.A. FILING DATE PRIORITY DATE
		01/22/2003 04/02/2002
CONFIRMATION NO. 9819 371 FORMALITIES LETTER		
 OC000000015460611		

*Perfect / ENGLISH TRANSL. due
5/16/05*

Date Mailed: 03/16/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/30/2004
- Copy of the International Search Report filed on 09/30/2004
- Information Disclosure Statements filed on 09/30/2004
- U.S. Basic National Fees filed on 09/30/2004
- Priority Documents filed on 09/30/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(f)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 for English translation surcharge required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION,

WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/509,727	PCT/JP03/00522	0760-0339PUS1

FORM PCT/DO/EO/905 (371 Formalities Notice)

CERTIFICATE OF VERIFICATION

I, Hidejiro TANIGAWA of 4-13-802, Fujimi 2-chome,
Chiyoda-ku, Tokyo 102-0071, Japan, state that the
attached document is a true and complete translation
to the best of my knowledge of International Patent
Application No. PCT/JP03/00522.

DATED this 10th day of August, 2005

Signature of translator



Hidejiro TANIGAWA